

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, November 9, 2009 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 11-05-09

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President

JoAnne Arruda-Vice President

Hannibal Costa

Louise Durfee

Jay Lambert

Cecil E. Leonard

Edward Roderick

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

REPRESENTATIVE JOHN G. EDWARDS – DISCUSSION ON STATUS OF LEGISLATION

CONSENT AGENDA:

- (C.A.) 1.**
- a. Approval of Minutes from October 26, 2009 Regular Council Meeting
 - b. Approval of Executive Session Minutes from October 26, 2009

- (C.A.) 2.** Receipt of Minutes from the Following Boards, Commissions
- a. Conservation Commission
 - b. Wastewater Management Commission (2)
 - c. Prevention Coalition

- (C.A.) 3.** Correspondence – Receive and File
- a. Received From north Providence Town Council, Westerly Town Council, North Smithfield School Committee and Cumberland Town Council – Resolutions Opposing Binding Arbitration on Monetary Matters for School Teachers
 - b. Received From Daughters of the American Revolution Regarding Native American Heritage Month Proclamation
 - c. Received From Conservation Commission Regarding Main Road Property
 - d. Received From Representative John Edwards Regarding Release of CDBG Funds
 - e. Received From RI Ethics Commission Requesting Comment on General Commission Advisory Relating to Participation in Unions
 - f. Petitions Received From Residents Regarding Quarry Property on Brayton Road – Referred to Zoning Officer and Solicitor
 - g. Received From Stone Bridge Fire District Regarding Land Donation for Proposed Soccer Complex

- h. Received From Four corners Merchants Association – Referred to EDC and Town Planner

(C.A.) 4. Approval for December 14th Public Hearing on Pay As You Throw Program

(C.A.) 5. Approval of Meeting schedule for 2010

B- BOARD OF LICENSING COMMISSIONERS

C - APPOINTMENTS & RESIGNATIONS:

D – BIDS AND REQUESTS FOR PROPOSALS

E –PUBLIC HEARING –ADVERTISED

1. Town Planner – Advertised Public Hearing on Enterprise Zone Re-designation

F – FINANCIAL BUSINESS:

G - UNFINISHED BUSINESS:

1. Tiverton Power, Inc. Attorney Richard A. Sherman – Proposed Amendment to the Town Zoning Map Continued From August 24th Council Meeting
Tiverton Power Inc. Request Public Hearing be Tabled
2. Landfill/Recycle Committee –Request Public Hearing to Amend Ordinance and Fee Resolution to Include Fee for Couch and Stuffed Chair Recycling Scheduled For November 23 Be Tabled Per Request of Landfill/Recycle Committee

H - NEW BUSINESS:

1. Town Administrator – Request Public Hearing on December 14 to Establish a Tax Incentive Program for New and/or Expanding Local Business
2. Town Administrator – Request Public Hearings for December 14th
 - a. Amend Fee Resolution for Mooring Fees
 - b. Ordinance Amendment Chapter 14

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1.
 - a. Decision Regarding US Court of Appeals for the First Circuit on Weaver's Cove
 - b. Response From US Coast Guard Regarding Weaver's Cove
 - c. Response From US Coast Guard to Fall River Regarding Weaver's Cove

5. CLOSED EXECUTIVE SESSION

1. Town Council – 42-46-5(a)(1)-Personnel – Town Administrator – Notice Sent
2. Town Administrator – 42-46-5(a)(2) - Collective Bargaining-Teamsters, IAFF& IBPO
3. Town Solicitor - Litigation – 42-46-5(a) (2)

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”